Appln. No. 09/749,480   IBM Docket No. BOC9-1999-0084
Amendment dated Dec. 6, 2005
Reply to Office action of Oct. 6, 2005
Docket No. 6169-141

REMARKS/ARGUMENTS

These remarks are made in response to the Final Office Action of October 6, 2005 (Office Action). As this response is timely filed before the expiration of the 3-month shortened statutory period, no fee is believed due.

In paragraphs 1-2 of the Office Action, Claims 1, 3, 5-6, 8-12, 14, 16-17, and 19-25 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,029,214 to Dorfman, *et al.* (hereinafter Dorfman) in view of U. S. Patent No. 6,411,283 to Murphy (hereinafter Murphy). In paragraph 3, Claims 4, 7, 15, and 18 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Dorfman in view of Murphy and further in view of U.S. Patent No. 5,677,710 to Thompson-Rohrlich (hereinafter Thompson-Rohrlich).

Applicants have amended each of independent Claims 1, 11, and 12 to emphasize certain aspects of Applicants' invention. Dependent Claims 5 and 16 have been cancelled. The amendments, as discussed herein, are fully supported throughout the Specification and do not introduce new matter.

I.   Applicants' Invention

It may be useful to reiterate certain aspects of Applicants' invention prior to addressing the cited references. One embodiment of the invention, as typified by amended independent Claim 1, is a method, implemented in a computer system, for distinguishing between finger contact and stylus contact with a touchscreen that is part of the computer system.

The method can include detecting contact with the touchscreen and generating contact information specifying a size of the detected contact. The method further can include comparing the contact information with contact criteria that specifies a threshold

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contact size. Additionally the method can include determining a contact type from a set of contact types, including a finger contact and a stylus contact, based on the comparing of contact information and automatically implementing at least one procedure.

The procedures automatically implemented include offsetting an on-screen pointer a predetermined distance from the detected contact. The distance can be a predetermined distance if the contact type is a finger contact. (See, e.g., Specification, p. 5, line 17 - p. 6, line 3; p. 7, lines 10-17; p. 11, line 20 - p.12, line 6; and p. 21, lines 1-10.) Alternatively, the offset can be a different predetermined distance if the contact type is a stylus or any other type of contact. Accordingly, the offset from a point of contact can vary depending on whether a user contacts the touch screen with a finger or stylus, or makes some other type of contact; that is, the offset distance can vary according to the type of contact made with the touchscreen.

The automatically implemented procedures can also include displaying an activated point on the touchscreen beneath the detected contact, automatically enabling handwriting recognition software, and presenting a user interface tailored for the determined contact type.

II.   The Claims Define Over The Prior Art

As already noted, independent Claims 1, 11, and 12 were rejected as unpatentable over the combination of Dorfman and Murphy. Applicants respectfully submit, however, that neither reference, alone or in combination, teaches or suggests every feature of Claims 1, 11, or 12, as amended.

Dorfman is directed to a touchpad, or input tablet, that serves as an input mechanism for a computing device. It is noted at pages 2-3 of the Office Action, however, that Dorfman does not disclose offsetting an on-screen pointer a predetermined

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distance from a point of detected contact with the screen. It is asserted at page 3, though, that Murphy discloses making such an offset and that it would have been obvious to combine Murphy with Dorfman "because this would provide to [a] user an icon or other feature adjacent the edge of the screen" that is more easily selected.

Murphy, however, does not teach or suggest offsetting a pointer from a point of detected contact with the screen whereby the offset depends on whether a user touches the screen with a finger, a stylus, or makes some other type of contact, as recited in each of amended independent Claims 1, 11, and 12. In the portion cited in the Office Action, Murphy explicitly describes the nature of the offset contemplated:

> "[A] finger is placed on a touch screen 100 so that it contacts the screen 100
> over an area A. In one embodiment a computer, similar to the palmtop
> computer of FIG. 1, generates a cursor 102 directly above the area A at an
> offset distance R from its center C. The magnitude of the offset distance R
> is selected so that the cursor is positioned above the finger F and is thus
> visible to the user." (Col. 6, lines 27-36; see also FIG. 7.)

Murphy thus discloses only one type of contact when describing a predetermined distance associated with a contact. Nowhere does Murphy suggest that the predetermined distance varies, let alone that it varies according to the type of contact as with Applicants' invention.

Since Dorfman fails to teach or suggest any type of offset, it follows that even when Dorfman is combined with Murphy the combination nonetheless fails to teach or suggest that which is taught by Applicants' invention. Both Dorfman and Murphy, alone and in combination, fail to teach or suggest providing an offset that varies according to the type of contact that a user makes with a touchscreen, as recited in amended independent Claims 1, 11, and 12.

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Applicants respectfully maintain, therefore, that neither Dorman nor Murphy, alone or in combination, teaches or suggests every feature recited in amended independent Claims 1, 11, and 12, and that the claims thus define over the prior art. Applicants further respectfully maintain that whereas each of the remaining dependent claims depends from one of the amended claims while reciting additional features, dependent Claims 3, 4, 7-10, 14, 15, 17-25 likewise define over the prior art.

CONCLUSION

Applicants believe that this application is now in full condition for allowance, which action is respectfully requested. The Applicants request that the Examiner call the undersigned if clarification is needed on any matter within this Amendment, or if the Examiner believes a telephone interview would expedite the prosecution of the subject application to completion.

Respectfully submitted,

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